

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – A.P. Secretariat Services – Deputy Secretaries to Government in common pool – Revision of seniority in respect of Sri M. Shanmugham, Assistant Secretary to Government in the cadre of Assistant Secretary to Government – Notional promotion as Deputy Secretary to Government on par with his junior – Awarded – Orders – Issued.

GENERAL ADMINISTRATION (SC-F) DEPARTMENT

G.O. Ms. No.593

Dated:26-11-2012

Read the following:-

1. G.O. Rt. No.3452, General Administration (SC.F) Dept., dated 10-07-2009.
2. G.O. Rt. No.3224, General Administration (SU.I) Dept., dated 22-07-2011.
3. From Sri M. Shanmugham, AS, GAD, Representation, dated: 27.7.2011.
4. G.O.Rt.No.2961, General Administration (SC-F) Dept., dated 26-06-2012.
5. Govt. Memo No.305/SC.F/2011, , General Administration (SC-F) Department, dated:17-08-2012.
6. Sri V. Saida, Dy. Secy. to Govt. Ind. & Com. Dept., representation dated 27-08-2012.
7. From Sri A. Ashok Reddy, Dy. Secy. to Govt. YAT&C Dept. representation, dated 5-9-2012

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ORDER:-

Vide G.O. first read above, Sri M. Shanmugham who is the last person in the panel of Section Officers fit for promotion to the post of Asst. Secy. to Government for the year 2008-09 was promoted as Asst. Secretary to Government, according to his general seniority in the category of Section Officer.

2. Consequent on revision of seniority in the cadre of Section Officer vide G.O. second read above, Sri M. Shanmugham, Assistant Secretary to Government, Social Welfare Department, vide his representation 3rd cited, has requested to consider his name for promotion notionally on par with his juniors in the cadre of AS/DS/JS taking his communal status into account duly relaxing relevant rules and to issue orders in his favour.

3. In the G.O. fourth read above, the seniority of Sri M. Shanmugham is revised in the category of Asst. Secretary to Govt. and his name was included in the panel year 2008-09 over the name of Sri R. Reddinagulappa at RP 62 meant for SC duly pushing down the latter to next RP in observing ROR and assigned notional promotion as Asst. Secy. to Government w.e.f. 27.09.2008 on par with his immediate junior, Sri R. Reddinagulappa, Asst. Secretary to Government, subject to out come of pending court cases, if any, and review of panels by the Govt. at any time.

4. It is observed that Sri R. Reddinagulappa who is immediate junior to Sri M. Shanmugham in the cadre of Asst. Secy. to Govt. was promoted as Dy. Secretary to Government vide G.O. Rt. No.168, G.A. (SC.F) Dept. dated 12.01.2011 as per his turn and based on his general seniority, as there is adequate representation of SC Community in the category of Deputy Secy. to Govt. for the panel year 2010-11. By virtue of revised seniority in

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the cadre of Asst. Secretary, Sri M. Shanmugham, Asst. Secretary to Govt. became senior to Sri R. Reddinagulappa, Dy. Secy. to Govt. and that his case has come within the zone of consideration for inclusion in the panel for the post of Deputy Secretary to Government (Non Cadre) for the year 2010-2011.

5. After careful examination of the matter and as nothing adverse was reported in his Confidential Reports during the said period, it is proposed to include the name of Sri M. Shanmugham, Asst. Secretary to Government in the approved panel of Asst. Secys. to Govt. fit for promotion to the post of Dy. Secretary to Government for the panel year 2010-11 over the name of Sri R. Reddinagulappa who is his immediate junior. The review Departmental Promotion Committee has recommended for inclusion of the name of Sri M. Shanmugham, Asst. Secretary to Government for the panel year 2010-11 and for considering notional promotion and seniority in the category of Dy. Secretary to Government (NC) on par with his immediate junior, subject to deleting the last name i.e., the name of Sri A. Ashok Reddy who is included as last person in the panel of Asst. Secretary to Government fit for promotion to the post of Dy. Secretary to Government.

6. Accordingly, in the reference 5th read above, show cause notices were issued to the affected Asst. Secretaries to Government calling for objections, if any on such proposed review, as per Rule 25 of A.P. State and Subordinate Service Rules, 1996.

7. Sri A. Ashok Reddy, Dy. Secretary, YAT&C Department who was the last person in the panel year 2010-11, in his representation 7th read above, while quoting the judgment of Hon'ble Apex Court, in SLP No. 20652 of 2003, has stated that there is no reservation of roster for SC / ST Women and therefore they are not entitled for promotion ahead of their male candidates. He has further stated that due to non preparation of year wise panels, and preparing panels by clubbing the vacancies, certain ineligible people became eligible for promotion. He has therefore requested to review the case of Sri M. Shanmugham for inclusion in the category of Asst. Secy. and Dy. Secy. by drawing year wise panels as per the rules.

8. The Government have carefully examined the objections and observed that due to court directions / litigations, no panels were prepared for the years 2005-06, 2006-07 and 2007-08 for Addl. Secretary post and 2006-07 and 2007-08 for JS post and DS posts and 2007-08 for AS post. The same has been upheld by the APAT in its orders dated 1.12.2009 in OA No. 5573/2009. Also the policy of Rule of Reservation for SC/ST Women in promotions was evolved by the Government in Social Welfare (ROR.I) Department and the General Administration (Services) Department. This Department is only implemented the policy of the Government relating to rule of reservation in promotions to the Schedule Caste, Schedule Tribes and Women candidates. Therefore the objections found not valid.

9. Government have, therefore, decided to consider the name of Sri M. Shanmugham, Asst. Secretary to Government for notional promotion and seniority for the panel year 2010-11 as Deputy Secy. to Govt. (NC) w.e.f. 12.01.2011 on par with his immediate junior Sri R. Reddinagulappa who got promotion as Dy. Secy. to Govt. vide G.O. Rt. No.168, G.A. (SC.F) Dept. dated 12.01.2011, duly deleting the last name i.e., Sri A. Ashok Reddy, Dy. Secy. from the panel as recommended by the Review DPC, in relaxation of Rule 33 (a) of AP State & Subordinate Service Rules, 1996.

10. Accordingly, on consideration of the recommendations of the Review Departmental Promotion Committee, the name of Sri M. Shanmugham, Assistant Secretary to Government is included in the panel of Assistant Secretaries to Government for the panel year 2010-11 over the name of Sri R. Reddinagulappa, Dy. Secretary to Government and considered for notional promotion and seniority for the panel year 2010-11 as Dy. Secretary to Government (NC) w.e.f. 12.01.2011 on par with his immediate junior, in relaxation of Rule 33 (a) of AP State & Subordinate Service Rules, 1996, duly deleting the last name i.e., Sri A. Ashok Reddy, Dy. Secretary to Government from the panel.

11. Accordingly, Sri M. Shanmugham, Asst. Secretary to Government, Social Welfare Dept. is hereby promoted as Deputy Secretary to Government notionally, with effect from 12.01-2011 and posted to Transport, Roads and Buildings Department against the existing vacancy.

12. The Departments concerned shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**MINNIE MATHEW,
CHIEF SECRETARY TO GOVERNMENT**

To

Sri M. Shanmugham, Asst. Secy. to Govt.
Social Welfare Department.
The Social Welfare (OP) Department.
The Transport, Roads & Buildings (OP) Department.
The General Administration (SC.D) Department.
The Accountant General, A.P. Hyderabad.
The Pay & Accounts Officer, A.P. Hyderabad.
The Deputy Pay & Accounts Officer,
Secretariat, A.P. Hyderabad.

Copy to:

The P.S. to Chief Secretary to Govt.,
The P.S. to Prl. Secretary (Poll), G.A.D.,
The P.A. to Spl. Secretary (Protocol), G.A.D.,
SF/SC.

// forwarded :: by order //

SECTION OFFICER (SC)